

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. C 07-4762 PJH

Plaintiff,

**ORDER RE PLAINTIFF'S
OBJECTIONS TO MAGISTRATE
JUDGE'S ORDER**

v.

CHARLES CATHCART, et al.,

Defendants.

On November 19, 2008, the court referred all discovery matters in this case to Magistrate Judge Spero for resolution pursuant to Civil Local Rule 72-1. On February 25, 2009, Magistrate Judge Spero issued an order granting in part and denying in part defendant Robert J. Nagy's motions to compel. On March 5, 2009, the United States ("plaintiff") filed objections to this ruling. Where, as here, a Magistrate Judge's ruling addresses a non-dispositive matter, the district judge "must consider timely objections and modify or set aside any part of the order that is clearly erroneous or is contrary to law." Fed.R.Civ.P. 72(a); see also 28 U.S.C. § 636(b)(1)(A). Pursuant to Civil Local Rule 72-2, the court may not grant a motion objecting to a Magistrate Judge's order without first giving the opposing party an opportunity to brief the matter. See Civ. L.R. 72-2.

Having carefully reviewed Magistrate Judge Spero's order and having considered plaintiff's objections thereto, the court hereby orders further briefing pursuant to Civil Local Rule 72-2. Defendants shall each file a brief, not to exceed five (5) pages, or a notice of joinder or statement of non-opposition, no later than March 27, 2009.

IT IS SO ORDERED.

Dated: March 20, 2009



PHYLLIS J. HAMILTON
United States District Judge

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